

REMARKS

Claims 1-48 are pending in the present application.


During a telephonic interview with Jeffrey Weaver of our firm, Applicants acknowledged that claims 1-14, 29-33, and 36-46 read on Fig. 4. According to the Examiner's position, claims 15-21, 34, and 47 read on Fig. 5. Applicants respectfully disagree in this regard. It is respectfully submitted that claims 15-21, 34, and 47 also read on Fig. 4 for the following reasons.

Fig. 4 generally illustrates some embodiments in which a CMTS breaks the periodic ranging by stopping sending ranging opportunity messages to the cable modem (410 in Fig. 4) (page 19, line 25 - page 20, line 6 referring to Fig. 4). Therefore, independent claim 15 (or independent claim 34 or 47) ("breaking the periodic ranging by discontinuing the transmission ...") reads on the embodiments which break the periodic ranging by stopping sending ranging opportunity messages as illustrated in Fig. 4. Accordingly, claims 15-21, 34, and 47 also read on Fig. 4.

In summary, claims 1-21, 29-34, and 36-47 which read on Fig. 4 should be properly grouped in one species to be prosecuted.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



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Limited Recognition under 37 C.F.R. §10.9(b)

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